

EXHIBIT C

December 17, 2020

Page 3

Page 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARIO H. CAPOGROSSO,
PLAINTIFF,

-against- Case No.:
18 CV 2710 (EK) (LB)

ALAN GELBSTEIN, in his individual capacity,
IDA TRASCHEN, in her individual capacity,
DANIELLE CALVO, in her capacity, SADIQ
TAHIR, in his individual capacity, FEC
GROUP OF NY, INC., DAVID SMART, and DMV
COMMISSIONER MARK SCHROEDER, in his
official capacity,
DEFENDANTS.

DATE: December 17, 2020
TIME: 1:24 P.M.

DEPOSITION of the Defendant,
DANIELLE CALVO, taken by the Plaintiff,
pursuant to a Notice and to the Federal
Rules of Civil Procedure, held VIA ZOOM
VIDEOCONFERENCE, before Jamie Newman, a
Notary Public of the State of New York.

1 (Whereupon, all 86 exhibits
2 were previously marked by Counsel,
3 Mark Capogrosso.
4 DANIELLE CALVO, called as a
5 witness, having been first duly sworn by a
6 Notary Public of the State of New York, was
7 examined and testified as follows:
8 EXAMINATION BY
9 MR. CAPOGROSSO:

10 Q. Please state your name for the
11 record.

12 A. Danielle Calvo.

13 Q. What is your address?
14 A. 9952 Fort Hamilton Parkway,
15 Brooklyn, New York 11209.

16 Q. All right.

17 Q. Mario Capogrosso, I'm just
18 going to ask you a couple of questions. I
19 just want the truth, I want to get to the
20 truth.

21 Now, you had me removed, you
22 came to me on the morning of May 11, 2015
23 at the Brooklyn TVB and you asked me to
24 leave in the presence of police officers.

Page 2

1 APPEARANCES:

2 THE LAW FIRM OF MARIO H. CAPOGROSSO
3 PLAINTIFF PRO SE
4 21 Sheldrake Place
5 New Rochelle, New York 10804
6 Capogrossom@aol.com

7 OFFICE OF THE NEW YORK STATE ATTORNEY
8 GENERAL

9 Attorneys for the Defendants
10 ALAN GELBSTEIN, in his individual
11 capacity, IDA TRASCHEN, in her individual
12 capacity, DANIELLE CALVO, in her individual
13 capacity, SADIQ TAHIR, in his individual
14 capacity, FEC GROUP OF NY, INC., DAVID
15 SMART, and DMV COMMISSIONER MARK
16 SCHROEDER, in his official capacity
17 28 Liberty Street, 17th Floor
18 New York, New York 10005
19 BY: JAMES THOMPSON, ESQ.
20 James.thompson@oag.ny.gov

21 DMV LEGAL BUREAU
22 Attorneys for the Defendant
23 DMV COMMISSIONER MARK SCHROEDER, in his
24 official capacity
25 6 Empire State Plaza, Room 522A
Albany, New York 11228
BY: BARBARA MONTENA, ESQ.
File #. 18CV2710
barbara.montena@dmv.nyc.gov

21 * * *

22
23
24
25
DEITZ Court Reporting... A Lexitas Company
800-678-0166

Page 4

1 Danielle Calvo
2 Am I right in saying that?
3 A. That's correct.

4 Q. Who told you to do that?
5 A. I was told by my supervisors.

6 Q. Which supervisor?
7 A. I was told by Ida Traschen.

8 Q. On the morning of May 11, 2015?
9 A. What is --

10 MR. THOMPSON: Is that a
11 question?

12 Q. On the morning of May 11, 2015
13 you had a telephone conversation with Ida
14 Traschen?

15 A. If that is the day you were
16 asked to leave? Yes.

17 Q. Now, for what reason did you
18 have me removed?

19 A. It wasn't my decision, it was
20 my supervisor's decision.

21 Q. It was Ida Traschen's decision?
22 A. Yes.

23 Q. Now, what made you have -- who
24 called whom, did Ida Traschen call you or
25 you called Ida Traschen?

1 (Pages 1 to 4)

December 17, 2020

Page 5	Page 7
<p>1 Danielle Calvo 2 A. I was directed to call her. 3 Q. By whom? 4 A. Judge Gelbstein. 5 Q. Was Judge Gelbstein in the 6 building that morning? 7 A. No, he was not. 8 Q. Did you view any of the 9 videotape of the alleged incident between 10 myself and Defendant Smart? 11 MR. THOMPSON: Objection to the 12 form of the question. You can 13 answer. 14 A. Not that I recall, no. 15 Q. How did you get notice of the 16 fact that there was an incident between 17 myself and Defendant Smart? 18 A. Someone came into the office 19 and told me. 20 Q. Who? 21 A. I don't recall who. 22 Q. Was it Defendant Smart? 23 A. I don't recall. 24 Q. And based on their testimony to 25 you, you decided that there was an incident</p>	<p>1 Danielle Calvo 2 form of the question, you can answer. 3 A. I didn't make any decision 4 whether it was the truth or not, I just 5 reported what I was told. 6 Q. By some person you don't know 7 their name? 8 A. I don't remember, no. 9 Q. Can you tell me exactly what 10 that person said to you, exact nature of 11 that conversation, the exact words used? 12 A. I can't tell you the exact 13 words, no. 14 Q. But, based on that testimony, 15 you made a decision to call Judge 16 Gelbstein; is that right? 17 A. Yes. 18 MR. THOMPSON: Objection to the 19 form of the question. You can 20 answer. 21 Q. And Judge Gelbstein made a 22 decision to call who, to call Ida Traschen? 23 A. Judge Gelbstein told me to call 24 Ida Traschen. 25 Q. And based on that observation</p>
<p>1 Danielle Calvo 2 and an altercation between myself and 3 Defendant Smart? 4 MR. THOMPSON: Objection to the 5 form of the question. You can 6 answer. 7 A. I didn't decide anything. I 8 just called Judge Gelbstein and let him 9 know what happened and then that was it. 10 Q. But, you didn't observe what 11 happened; right? 12 A. No, I did not. 13 Q. And you didn't look at any 14 videotape; right? 15 A. Not that I recall, no. 16 Q. And you had the ability to look 17 at the videotape, but you didn't? 18 A. I don't know if that incident 19 was videotaped. I don't know what position 20 on the floor it happened, so I couldn't 21 say. 22 Q. You're taking somebody's 23 witness -- some witness observation as to 24 what happened as to the truth; right? 25 MR. THOMPSON: Objection to the</p>	<p>1 Danielle Calvo 2 -- based on that testimony from a 3 third-party, I was removed from the 4 practice of law in all New York TVBs? 5 Is that fair? 6 MR. THOMPSON: Objection to the 7 form of the question. You can 8 answer. 9 A. At that time I had no idea what 10 was going to happen, I was just reporting 11 to my supervisor what I was told. 12 Q. And you don't recall what you 13 were told exactly? 14 A. No. 15 MR. THOMPSON: Objection, asked 16 and answered. 17 Q. You don't recall the alleged 18 incident or what was said concerning the 19 incident? 20 MR. THOMPSON: Same objection. 21 Q. Did you ever talk to Defendant 22 Smart concerning the incident? 23 A. I don't recall if I had any 24 particular conversation with him afterwards 25 or during, but I'm sure we did at some</p>

2 (Pages 5 to 8)

December 17, 2020

Page 9	Page 11
<p>1 Danielle Calvo</p> <p>2 point.</p> <p>3 Q. So, you never asked him what</p> <p>4 was the nature of the incident between</p> <p>5 myself and him, as to what factually</p> <p>6 occurred?</p> <p>7 MR. THOMPSON: Objection to the</p> <p>8 form of the question. You can</p> <p>9 answer.</p> <p>10 A. I may have asked him at the</p> <p>11 time, but I don't recall what he said to me</p> <p>12 or...</p> <p>13 Q. Did you ask him before I was</p> <p>14 removed, or after I was removed?</p> <p>15 A. I don't know.</p> <p>16 Q. You don't know.</p> <p>17 Did you ever ask me as to what</p> <p>18 happened concerning that alleged incident?</p> <p>19 A. I don't remember having any</p> <p>20 conversation with you, no.</p> <p>21 Q. You don't recall the</p> <p>22 particulars of the incident, you don't</p> <p>23 recall talking to Defendant Smart</p> <p>24 concerning the incident, and you didn't</p> <p>25 talk to me concerning the accident.</p>	<p>1 Danielle Calvo</p> <p>2 wrote about me, that I'm complicit,</p> <p>3 incapable and incompetent, can't you go</p> <p>4 practice somewhere else."</p> <p>5 Do recall that statement by</p> <p>6 Defendant Gelbstein?</p> <p>7 A. No, I do not.</p> <p>8 Q. Do you have any knowledge as to</p> <p>9 whether Defendant Gelbstein or Ida Traschen</p> <p>10 had Defendant Smart approach me on the</p> <p>11 morning of May 11, 2015?</p> <p>12 A. No, I do not.</p> <p>13 Q. Are you privy or knowledgeable</p> <p>14 of the letter that I wrote to the attorney</p> <p>15 general's office on March 20, 2015, were</p> <p>16 you knowledgeable about that?</p> <p>17 MR. THOMPSON: Objection to the</p> <p>18 form, you can answer.</p> <p>19 A. I did know about it. I don't</p> <p>20 know if I ever saw it or who told me about</p> <p>21 it, but I was aware that something was</p> <p>22 written.</p> <p>23 Q. Did you ever read it?</p> <p>24 A. To my knowledge, I don't</p> <p>25 remember.</p>
<p>1 Danielle Calvo</p> <p>2 Yet you make a phone call to</p> <p>3 Defendant Gelbstein concerning the incident</p> <p>4 who tells you to call Ida Traschen</p> <p>5 concerning the incident; is that fair to</p> <p>6 say?</p> <p>7 MR. THOMPSON: Object to the</p> <p>8 form, you can answer.</p> <p>9 A. Yes.</p> <p>10 Q. And as a result of that phone</p> <p>11 call, I'm not allowed to practice at the</p> <p>12 New York TVB, you know that; right?</p> <p>13 MR. THOMPSON: Object to the</p> <p>14 form, you can answer.</p> <p>15 A. I was not aware at that moment</p> <p>16 that that was what was going to happen, but</p> <p>17 I am aware of that afterwards, yes.</p> <p>18 Q. Did you approach me on the</p> <p>19 afternoon of May 8th in the attorneys' room</p> <p>20 in the presence of the Defendant Gelbstein,</p> <p>21 did you and him approach me in the</p> <p>22 afternoon of May 8, 2015?</p> <p>23 A. I don't know if we did or not.</p> <p>24 Q. Do you recall Defendant</p> <p>25 Gelbstein saying to me, "I read what you</p>	<p>1 Danielle Calvo</p> <p>2 Q. Were you knowledgeable of any</p> <p>3 of the complaints I had against Defendant</p> <p>4 Smart at the Brooklyn TVB that I followed</p> <p>5 with Defendant Gelbstein, were you</p> <p>6 knowledgeable of any of those complaints?</p> <p>7 A. I know you made a lot of</p> <p>8 complaints about a lot of different people,</p> <p>9 particularly and specifically, no.</p> <p>10 Q. I only make complaints about</p> <p>11 Defendant Smart.</p> <p>12 The only thing that was in</p> <p>13 writing was to Defendant Smart and I'm</p> <p>14 asking very specifically, did you have any</p> <p>15 knowledge of any of those complaints?</p> <p>16 MR. THOMPSON: Objection, asked</p> <p>17 and answered. You can answer.</p> <p>18 A. I don't recall specifically,</p> <p>19 but I may have known at the time.</p> <p>20 Q. Did you have supervisory</p> <p>21 authority over the actions of Defendant</p> <p>22 Smart at the Brooklyn TVB?</p> <p>23 MR. THOMPSON: Objection to the</p> <p>24 form. You can answer.</p> <p>25 A. To some extent we could ask him</p>

3 (Pages 9 to 12)

December 17, 2020

Page 13	Page 15
<p>1 Danielle Calvo 2 to do certain things, but he worked for an 3 outside company. 4 Q. So, who did he report to on a 5 daily basis? 6 A. He had to call into his office 7 every morning and he submitted his time 8 cards to them, but we had to know he was 9 there. 10 Q. Who governed his day-to-day 11 activities at the Brooklyn TVB? 12 MR. THOMPSON: Objection to the 13 form. You can answer. 14 A. We would tell him what we 15 wanted done as far as opening, closing. 16 Things like that. 17 Q. You governed his day-to-day 18 activities? 19 MR. THOMPSON: Same objection. 20 Q. Clerical staff, the clerical 21 supervisors governed his day-to-day 22 activities; is that correct? 23 MR. THOMPSON: Same objection. 24 A. To some extent, yes. 25 Q. And did you receive complaints</p>	<p>1 Danielle Calvo 2 Q. Did you take any action and 3 response to it? 4 A. Not that I remember. 5 Q. So, you didn't try to curtail 6 that threat or respond to it in any way? 7 MR. THOMPSON: Objet to the 8 form, you can answer. 9 A. I don't know if I knew about it 10 and I don't know if I did, if I spoke to 11 him or not. 12 Q. In December of 2014 Defendant 13 Smart stood up from where he was sitting, 14 pointed directly at me with a spear hand 15 and gave me the sign of the cross. 16 Were you aware of that 17 complaint that I filed with Defendant 18 Gelbstein? 19 MR. THOMPSON: Objection to the 20 form. You can answer. 21 A. I don't recall. 22 Q. Do you recall reviewing any 23 videotape with respect to that complaint? 24 A. No, I don't recall. 25 Q. Did you take any action in</p>
<p style="text-align: center;">Page 14</p> <p>1 Danielle Calvo 2 with respect to Defendant Smart, did they 3 go to your office as a clerical supervisor? 4 MR. THOMPSON: Objet as to 5 form. You can answer. 6 A. It depends on who the complaint 7 was made to specifically. 8 Q. If I submitted a complaint to 9 Defendant Gelbstein, would become 10 knowledgeable of it and have authority to 11 act upon it? 12 A. If you made the complaint to 13 him, he may have told me about them, yes, 14 but if you made it to him, then it would be 15 up to him to make any decisions. 16 Q. Now, in June of 2012 Defendant 17 Smart pushed me from behind, assaulted me 18 from behind reaching for my cell phone. 19 Are aware of that complaint 20 that I filed with Defendant Gelbstein, were 21 you aware of that? 22 MR. THOMPSON: Objection to the 23 form. 24 A. Not that I recall, but it's 25 possible at the time I did.</p>	<p style="text-align: center;">Page 16</p> <p>1 Danielle Calvo 2 response to that complaint? 3 A. That I don't recall. 4 Q. In June of 2012, Defendant 5 Smart -- between December 11, 2011 and 6 December 12, 2012, Defendant Smart stole 7 \$80 on a \$150 fee. 8 Were you aware of that, that he 9 stole \$80 on a fee that was owed to me? 10 MR. THOMPSON: Objet to the 11 form, you can answer. 12 A. No, I was not. 13 Q. Did you take any action in 14 response to that complaint that I made to 15 Defendant Gelbstein concerning that theft? 16 A. I don't recall. 17 Q. Was there an investigation made 18 by your office, the clerical -- you, as a 19 supervisor, with respect to that theft? 20 A. I don't recall. 21 Q. I made complaints to Defendant 22 Gelbstein concerning that Defendant Smart, 23 after I reported this theft, would get in 24 my face, within several inches of my face 25 and I would ask him what was the problem</p>

4 (Pages 13 to 16)

December 17, 2020

<p style="text-align: right;">Page 17</p> <p>1 Danielle Calvo 2 and he would respond "fuck you, you are the 3 problem." 4 Did you investigate any of 5 those complaints? 6 A. I don't recall. 7 Q. So, pretty much Defendant Smart 8 was given carte blanche to act as he wanted 9 to in the Brooklyn TVB with respect to your 10 office? 11 MR. THOMPSON: Objection to the 12 form of the question. You can 13 answer. 14 Q. You took no action and response 15 to any of the threats of violence or 16 harassment by Defendant Smart with respect 17 to my person; is that fair to say? 18 MR. THOMPSON: Same objection, 19 you can answer. 20 A. I don't recall what was done 21 about any of those incidents. 22 Q. I'm asking if you took any 23 response, you made -- 24 A. I don't remember. 25 Q. So, you gave Defendant Smart</p>	<p style="text-align: right;">Page 19</p> <p>1 Danielle Calvo 2 A. Can you repeat that, I didn't 3 understand? 4 Q. You made no attempt to keep or 5 preserve that evidence, that videotape of 6 the alleged altercation between myself and 7 Defendant Smart? 8 MR. THOMPSON: Same objection. 9 A. I don't know if it was 10 videotaped and I don't recall what was -- 11 there is no way for me to keep or erase 12 anything on there, unless someone would 13 have told us how to do it. 14 Q. So, you made no attempt to 15 preserve it, you didn't make any phone 16 calls to the security people who monitor 17 these cameras to preserve that evidence, 18 did you? 19 MR. THOMPSON: Objection to the 20 form. 21 A. Not that I know of. 22 Q. Did you ever view that 23 videotape of the alleged incident between 24 myself and Defendant Smart? 25 A. Not that I recall.</p>
<p style="text-align: right;">Page 18</p> <p>1 Danielle Calvo 2 carte blanche, freedom, to act the way he 3 wanted to act; is that fair? 4 MR. THOMPSON: Objection, asked 5 and answered. Argumentative. You 6 can answer. 7 A. No, I did not. 8 Q. Who is in control of the 9 videotape at the Brooklyn TVB? 10 MR. THOMPSON: Objet to the 11 form, you can answer. 12 A. The cameras themselves -- um -- 13 the monitor was in the back office. There 14 was no tape, it was directly to some type 15 of hard drive. 16 Q. Did you request that any of the 17 videotape of May 11th be preserved or kept? 18 A. Not that I recall. 19 Q. So, you kept none of the 20 evidence that would have shown the alleged 21 altercation between myself and Defendant 22 Smart on May 11, 2015? 23 MR. THOMPSON: Objection to the 24 form of the question. You can 25 answer.</p>	<p style="text-align: right;">Page 20</p> <p>1 Danielle Calvo 2 Q. Did you observe Defendant 3 Gelbstein viewing that videotape in your 4 presence? 5 MR. THOMPSON: Objection to the 6 form. You can answer. 7 A. Not that I recall. 8 Q. Did you ever observe Ida 9 Traschen observe that videotape in your 10 presence? 11 A. No. 12 Q. Now, there were many complaints 13 written against me and my office while I 14 was there at Brooklyn TVB by the clerical 15 staff at the Brooklyn TVB. 16 Is that fair to say -- is that 17 a fair statement? 18 A. Yes. 19 Q. Is that a fair statement, they 20 didn't like me? 21 A. I can't say what they felt 22 about it, I can only speak for myself. 23 Q. Well, they made many complaints 24 about me, that's fair, I mean, I have them. 25 They were all kept by Defendant Gelbstein,</p>

5 (Pages 17 to 20)

December 17, 2020

6 (Pages 21 to 24)

December 17, 2020

<p style="text-align: right;">Page 25</p> <p>1 Danielle Calvo 2 bribes to fix tickets? 3 A. No. If I was aware of that, I 4 would have turned them in. 5 Q. Let me read a couple of 6 statements out of this article that I 7 found, this investigation that I made. 8 Directing your attention to the 9 first paragraph which reads, "my 10 investigation found a Traffic Violation 11 Bureau mired in corrupt practices, from 12 public employees taking cash in fixing 13 tickets from attorneys offering clerks 14 improper payments in gifts to garner new 15 clients all under woefully deficient direct 16 oversight Inspector General, IG, Leahy 17 Scott." 18 Are aware of such allegations 19 at the TVB? 20 MR. THOMPSON: Objection to the 21 form of the question. 22 Q. Are you aware of such ticket 23 fixing complaints at the TVB? 24 A. No. 25 Q. Are you aware that clerks</p>	<p style="text-align: right;">Page 27</p> <p>1 Danielle Calvo 2 you're not aware of clerks receiving gifts 3 in cash? 4 A. If I -- 5 MR. THOMPSON: Objection. 6 Object to the form. Objection, asked 7 and answered. You can answer. 8 A. If I was aware, I would have 9 reported them. I don't do illegal things, 10 so... 11 Q. Were there attorneys giving 12 gifts in money and meals to your clerks at 13 the TVB? 14 A. Not that I know of, no. 15 Q. Jeffrey Zift (phonetic) wasn't 16 buying your clerks lunch and breakfast in 17 the morning? 18 A. If they were, then I was not 19 told of it. 20 Q. And attorneys weren't giving 21 them money in cash for Christmas, was that 22 happening? 23 A. Not that I was aware of, no. 24 Q. Was there a clerk doing work 25 for another attorney and would do work for</p>
<p style="text-align: right;">Page 26</p> <p>1 Danielle Calvo 2 received money in gifts from -- 3 A. No, if I was aware of that I 4 would -- 5 MR. THOMPSON: Same objection. 6 A. -- have reported them. 7 Q. That same report, if you go up 8 to Page 2. And I'll direct your attention 9 to the fourth paragraph down, "Alexis, 10 Eddie and one former clerk were also 11 accused of steering motorists to certain 12 defense lawyers in exchange for cash or 13 meals. Officials said they often texted or 14 called attorneys throughout the day -- 15 workday to make the referrals." 16 Are you aware of such 17 allegations? 18 A. This does not stay Brooklyn 19 South TVB, this says Northern Manhattan 20 Traffic Violation. 21 Q. I understand, but at the TVB in 22 general, are you aware of such things going 23 on; are you aware of it? 24 A. No. 25 Q. You're a supervisor of clerks,</p>	<p style="text-align: right;">Page 28</p> <p>1 Danielle Calvo 2 him? 3 A. That should not have not 4 occurred and if it did, and I did not know 5 about it. 6 Q. Well, I was privy to all of 7 this. The attorneys were asking me how 8 much money was I giving the clerks this 9 Christmas, I said none. 10 But you weren't aware of any of 11 that, money going back and forth? 12 MR. THOMPSON: Objection to the 13 form of the question. 14 A. No. 15 Q. Were there parties given for 16 the clerks by certain attorneys? 17 A. I wouldn't -- sometimes at 18 Christmas Judge Gelbstein allowed them to 19 not give a party, but like contribute to 20 the Christmas party they were also allowed 21 to attend. 22 Q. Did Terry Kalker give parties 23 for the clerks during the holidays? 24 A. I believe she was one of the 25 people who supplied Kosher food items to</p>

7 (Pages 25 to 28)

December 17, 2020

<p style="text-align: right;">Page 29</p> <p>1 Danielle Calvo 2 holiday parties. 3 Q. So, she was supplying meals to 4 your clerks? 5 A. I wouldn't say it was -- 6 MR. THOMPSON: Objection. 7 A. -- a day-to-day occurrence, it 8 was allowed. 9 Q. And were those attorneys given 10 preferential treatment? 11 A. No, they were not. 12 Q. They were not. 13 Did you think that there was an 14 appearance -- that it was improper for your 15 clerks to receive money, cash, meals -- 16 MR. THOMPSON: Object to the 17 form of the question. 18 Q. -- by attorneys, was it 19 improper; was it an improper act for your 20 clerks to receive such gratuities? 21 MR. THOMPSON: Same objection. 22 A. If I would have known about 23 them receiving any gratuities or anything 24 improper, I would have reported it. 25 Q. All right.</p>	<p style="text-align: right;">Page 31</p> <p>1 Danielle Calvo 2 form. 3 Q. I was given this letter in June 4 of 2012, can you tell me what the 5 threatening conduct I ever exhibited with 6 one of your clerks? 7 MR. THOMPSON: Same objection, 8 you can answer. 9 A. It's not up to me to decide 10 what is threatening conduct. If they feel 11 like they were threatened, then they 12 reported it. If not.... 13 Q. Well, what threatening conduct 14 was ever reported to you by one of your 15 clerks, tell me? 16 A. I don't recall specific 17 incidents. 18 Q. Tell me what verbal threat of 19 physical violence I ever made to one of 20 your clerks, can you tell me the date and 21 time I made it? 22 MR. THOMPSON: Objection, asked 23 and answered. 24 Q. Tell me one time I verbally 25 abused one of your clerks, the date, the</p>
<p style="text-align: right;">Page 30</p> <p>1 Danielle Calvo 2 Let me direct your attention to 3 Exhibit 35, lets go through some of these 4 complaints by your clerks. Actually, Can 5 we go to Exhibit 6 -- it's not Exhibit 6. 6 Give me one minute. Exhibit 11. 7 (Whereupon, Plaintiff's Exhibit 8 11, previously marked, was 9 introduced.) 10 Q. Directing your attention to 11 this exhibit, Exhibit 11. 12 Is Danielle there? 13 A. Yes. 14 Q. All right, fine. 15 Are you familiar with this 16 exhibit? 17 A. I don't know if I've seen this 18 before or not. 19 Q. Well, it's telling you that I 20 have to restrain from threatening conduct. 21 Can you tell me what 22 threatening conduct I exhibited towards 23 your clerks, can you tell me exactly what I 24 did? 25 MR. THOMPSON: Objection to the</p>	<p style="text-align: right;">Page 32</p> <p>1 Danielle Calvo 2 time, the occurrence, exactly what I said? 3 MR. THOMPSON: Objection. 4 A. No, I cannot tell you that. 5 Q. Can you tell me what ethnic 6 slur I ever made with respect to one of 7 your clerks? 8 MR. THOMPSON: Same objection, 9 you can answer. 10 A. I can't tell you specifically 11 any incident, date, time. I don't have 12 that information. 13 Q. They didn't like me because I 14 wasn't buying them presents or buying them 15 meals or giving them cash for the holidays. 16 Would that be a fair statement? 17 A. No, I would say not. 18 MR. THOMPSON: Objection to the 19 form of the question. 20 Q. So, tell me the reasons they 21 didn't like me? 22 A. I can't tell you, I can only 23 speak for myself. 24 Q. Did you ever make an 25 investigation to any of these complaints</p>

8 (Pages 29 to 32)

December 17, 2020

<p style="text-align: right;">Page 33</p> <p>1 Danielle Calvo 2 against me by your clerks? 3 A. If I did, I don't recall, but I 4 may have. 5 Q. Can you tell me the results of 6 that investigation? 7 A. I can't tell you because I 8 don't recall. 9 Q. But, those complaints of 10 misconduct were used to get me removed from 11 the Brooklyn TVB and from all TVBs; is that 12 fair to say? 13 MR. THOMPSON: Objection to the 14 form of the question. You can 15 answer. 16 A. I can't say that what -- they 17 were incidents that they reported. They 18 were -- there was not a specific reason why 19 that they reported them. They felt that it 20 was an incident, so I can't say why they 21 reported it or not. 22 Q. But, they were all used against 23 me and they were all used against me to 24 have me removed and you made no 25 investigation as to whether they were true</p>	<p style="text-align: right;">Page 35</p> <p>1 Danielle Calvo 2 I did? 3 A. Aggressive behavior. 4 Q. Tell me the aggressive 5 behavior, tell me what I did? 6 A. I can't give you specific 7 instances. You were argumentative, 8 yelling, always aggressive, always 9 complaining. We didn't have this many 10 problems with anyone else. So I can't tell 11 you specific incidents. You have the 12 reports, so you must know what they are. 13 Q. All I know is Mr. Capogrosso is 14 the problem and that's all I know and there 15 is no investigation made. This is the 16 voracity of the complaints to the 17 allegations and Mr. Capogrosso is given no 18 opportunity to respond. 19 That's all I know that he's the 20 problem and that's it. Is that your 21 position? 22 MR. THOMPSON to the form of the 23 question. 24 A. I did not say that I never did 25 anything about any of the complaints. I</p>
<p style="text-align: right;">Page 34</p> <p>1 Danielle Calvo 2 or not; is that fair? 3 MR. THOMPSON: Objection. 4 A. I didn't say that, I said I 5 don't recall. 6 Q. You gave me no opportunity to 7 respond to any of these complaints; right? 8 A. I don't recall. 9 MR. THOMPSON: Objection to the 10 form. 11 Q. Now, you didn't like me either 12 at the Brooklyn TVB; is that fair, you 13 wanted me out of there? 14 A. You were a problem and I felt 15 that you threatened the staff, yes. 16 Q. You wanted me removed; right? 17 A. But it was not my decision in 18 any form because you would have been out 19 way sooner. 20 Q. But you wanted me out of there, 21 didn't you? 22 A. I wanted you to stop what you 23 were doing and if you could have stopped, 24 then you wouldn't have had to be... 25 Q. Stop what, tell me exactly what</p>	<p style="text-align: right;">Page 36</p> <p>1 Danielle Calvo 2 don't remember. 3 Q. Did you ever give me an 4 opportunity to respond to one of these 5 complaints so I could resolve the issue? 6 MR. THOMPSON: Objection, asked 7 and answered. You can answer. 8 Q. What opportunity did you give 9 me to respond to any one of the complaints 10 by your clerks? 11 A. I don't know specifically about 12 those complaints, but I know I spoke to you 13 on many occasions asking you not to direct 14 any issues with the clerks whatsoever. 15 Q. Concerning what? 16 A. Concerning anything. If you 17 had a problem -- 18 MR. THOMPSON: Objection, you 19 asked this question over and over 20 again. 21 THE COURT REPORTER: Hold on, 22 my hands are off the record. It's 23 physically impossible on a Zoom to 24 get all three of you at the same 25 time.</p>

9 (Pages 33 to 36)

December 17, 2020

<p style="text-align: right;">Page 37</p> <p>1 Danielle Calvo 2 Q. You can't identify one specific 3 instance of misconduct with respect to your 4 clerks; is that fair today? 5 A. From memory? No. 6 Q. Can I direct you to Exhibit 7. 7 (Whereupon, Plaintiff's Exhibit 8 7, previously marked, was 9 introduced.) 10 Q. And I'll direct you to 11 Paragraph 13. 12 Are you there? 13 A. I'm here, but I don't see 14 Paragraph 13. 15 Q. Now, this was a petition that 16 was submitted -- that was written by my 17 attorney in an Article 78 proceeding. 18 Capogrosso versus the Department of Motor 19 Vehicles. And in that petition in 20 Paragraph 13 I indicate that I had an 21 incident with Yakov Brody. 22 Do you recall that incident? 23 A. I recall there was an incident, 24 but I don't remember specifics. 25 Q. And it happened in</p>	<p style="text-align: right;">Page 39</p> <p>1 Danielle Calvo 2 you can answer. 3 A. I also don't remember. 4 Q. But, you wanted me out because 5 that's what that Paragraph 13 says, "now's 6 our chance to get rid of him." 7 Did you make that statement 8 concerning -- 9 A. I'm sure I did not. 10 Q. -- concerning the incident with 11 Yakov Brody on December 22, 2011, did you 12 make that statement? 13 A. Not that I recall, no. 14 Q. You don't remember making it? 15 A. No. 16 Q. But, you wanted me out, right, 17 from the DMV? 18 MR. THOMPSON: Objection, asked 19 and answered. You can answer. 20 Q. Did you want me out because I 21 wasn't giving cash and meals and presents 22 to your clerks? 23 MR. THOMPSON: Objection, asked 24 and answered. Don't badger the 25 witness.</p>
<p style="text-align: right;">Page 38</p> <p>1 Danielle Calvo 2 December 2011. 3 Did you ever give me an 4 opportunity to file my affidavit as to what 5 happened with respect to that incident? 6 A. I didn't ask you for anything, 7 but if you want to write something, you 8 could have. 9 Q. But, you took Yakov Brody's 10 statement; right? 11 A. Anyone who wants to make a 12 statement, makes a statement. If they 13 don't want -- if someone doesn't give me 14 one, I don't ask for something unless I'm 15 told that we need it. 16 Q. And you elicited the 17 statements of all the other attorneys 18 concerning this one incident; right? 19 MR. THOMPSON: Objection to the 20 form of the question, you can answer. 21 A. I don't remember. 22 Q. You don't remember. 23 But, you never elicited my 24 affidavit, right, as to what happened? 25 MR. THOMPSON: Same objection,</p>	<p style="text-align: right;">Page 40</p> <p>1 Danielle Calvo 2 Q. Did you want me out because I 3 wasn't giving cash and meals and gratuities 4 to you as a clerical supervisor? 5 A. No, I did not. 6 MR. THOMPSON: Objection, asked 7 and answered. 8 Q. You did not want me out for 9 that reason? 10 A. No. 11 Q. Were you receiving gifts and 12 gratuities and meals from the other 13 attorneys? 14 A. No, I did not. 15 Q. Did you have any specific 16 complaints from motorists or clients of 17 mine to your office that I behaved 18 improperly, rudely or threatened them in 19 any way, by motorists or clients, other 20 than your clerks? 21 MR. THOMPSON: Objection, asked 22 and answered. 23 Q. I haven't heard that one. 24 Did you receive any complaints 25 from motorists or clients that I threatened</p>

10 (Pages 37 to 40)

December 17, 2020

<p style="text-align: right;">Page 41</p> <p>1 Danielle Calvo 2 them or I abused them -- verbally abused 3 them, did you receive any such complaints 4 from motorist or clients? 5 A. Not that I recall. 6 Q. So the only complaints that you 7 are getting are from your clerks? 8 MR. THOMPSON: Objection to the 9 form of the question. You can 10 answer. 11 A. Whatever complaints are on 12 file, I don't remember. 13 Q. Right. 14 And it's because I didn't give 15 those clerks money for Christmas and I 16 wasn't buying them breakfast? 17 MR. THOMPSON: Objection, asked 18 and answered. I think four times 19 now. 20 Q. Now, there was an incident with 21 Yakov Brody on December 11, 2011 and Brody 22 states that I threw a coffee cup, an empty 23 coffee cup in a garbage can that he was 24 sitting next to. 25 Were you familiar with that</p>	<p style="text-align: right;">Page 43</p> <p>1 Danielle Calvo 2 answered, you can answer. 3 A. Not that I recall. I don't 4 remember. 5 Q. But, it was okay for attorney 6 Brody to give you his affidavit as to what 7 happened? 8 MR. THOMPSON: Objection to the 9 form, you can answer. 10 A. Anyone who wanted to make a 11 report, could have made a report. If you 12 wanted to make a report, Mr. Capogrosso, 13 you could have made a report. 14 Q. I was removed from the Brooklyn 15 TVB based on that incident, so I didn't 16 have the opportunity to make a report; 17 right? 18 MR. THOMPSON: Objection to the 19 form, you can answer. 20 A. I don't know. If you say you 21 didn't have an opportunity, than you 22 didn't, I have no idea. 23 Q. Did you ever question me 24 concerning that incident? 25 A. I don't remember.</p>
<p style="text-align: right;">Page 42</p> <p>1 Danielle Calvo 2 complaint? 3 A. Specifically I don't remember 4 that date or an incident about a coffee 5 cup. 6 Q. But, you never took my 7 affidavit with respect to that alleged 8 incident with Yakov Brody; right? 9 MR. THOMPSON: Objection, asked 10 and answered. You can answer. 11 Q. All I said to Yakov Brody that 12 day was "excuse me, can I get my coffee." And he told me, "excuse yourself, go fuck yourself, you Jew hater anti-Semite." You know that's what Yakov Brody told me that day twice. "Excuse yourself, go fuck yourself, you Jew hater anti-Semite. And then I leave to get away from the situation, I come back and he is still blocking the coffee and he says that again to me. 22 Did you ever take my affidavit 23 with respect to what happened that day? 24 MR. THOMPSON: Objection to the 25 form of the question. Asked and</p>	<p style="text-align: right;">Page 44</p> <p>1 Danielle Calvo 2 Q. Was any of it grieved or sent 3 to the grievance committee of the State of 4 New York by one of your clerks; did they 5 ever bring a grievance against me 6 personally to the grievance committee to 7 the State of New York? 8 A. Not that I'm aware of, no. 9 Q. But, you're aware that another 10 attorney was grieved who worked at the 11 Department of Motor Vehicles, an attorney 12 named Eamon Teague? 13 MR. THOMPSON: Objection to the 14 form of the question. 15 A. An attorney who? 16 Q. Eamon Teague that he was 17 grieved for an inappropriate conduct? 18 A. No, I don't even know who that 19 person is. 20 Q. Why didn't you grieve me for 21 any of these acts that I committed with 22 your clerks, why didn't you ever grieve me; 23 why didn't you bring a complaint to the 24 grievance committee? 25 A. You're asking me that. I have</p>

11 (Pages 41 to 44)

December 17, 2020

<p style="text-align: center;">Page 45</p> <p>1 Danielle Calvo 2 no idea because I don't even know what that 3 process is. We went through our own DMV 4 reporting, not to any outside other things. 5 I don't know what that is that you're 6 talking about. 7 Q. And you never questioned the 8 truth or veracity of any of those reports; 9 right? 10 MR. THOMPSON: Objection to the 11 form. Objection, asked and answered. 12 You can answer. 13 Q. Are you familiar with, let's 14 see, Melanie Levine; are you familiar with 15 Melanie Levine, does that name ring a bell? 16 A. Yes, she was a supervisor in 17 our office at one point. 18 Q. And she filed a complaint 19 against me too, are you aware of that; she 20 filed a work violence incident report, are 21 you familiar with that? 22 A. I may have been, but I don't 23 recall right now. 24 Q. Can pull up Exhibit 85. 25 (Whereupon, Plaintiff's Exhibit</p>	<p style="text-align: center;">Page 47</p> <p>1 Danielle Calvo 2 A. I don't know if I did at the 3 time. 4 Q. Could you have investigated the 5 truth, the validity of this report? 6 A. I could have, but it depends on 7 what my supervisor told me to do. 8 Q. So, you don't know whether I 9 represented this Mr. Perez on January 21, 10 2015, because I never did. I was never in 11 court with him, you know that; right? 12 A. I don't know that. 13 MR. THOMPSON: Objection to the 14 form. You can answer. 15 A. I don't know that. I don't 16 recall that. 17 Q. So, you don't know whether it's 18 true or not because -- you don't know the 19 -- you never took my statement with respect 20 to this work incident report, did you, as 21 to what happened? 22 A. I don't remember if I did or 23 not. 24 Q. Well, let me tell you what 25 happened that day because I never</p>
<p style="text-align: center;">Page 46</p> <p>1 Danielle Calvo 2 85 previously marked, was 3 introduced.) 4 Q. Are you familiar with this 5 workplace violence incident? 6 A. I don't -- I may have seen it 7 before, I don't remember. 8 Q. Were you a supervisor at the 9 DMV, Brooklyn DMV on February 5, 2015? 10 A. Yes. 11 Q. Did you ever investigate the 12 facts and allegations of this incident 13 report as a supervisor? 14 A. I don't know what the incident 15 was because I only see the top part of it. 16 Q. Let's go to the second page. 17 This is a clerical supervisor, like 18 yourself, writing about me. 19 "Attorney Capogrosso had 20 represented Mr. Perez at trial for three 21 violations on January 22, 2015." Did you 22 investigate the validity of that statement, 23 the truthfulness of that statement as to 24 whether I actually represented them at 25 trial?</p>	<p style="text-align: center;">Page 48</p> <p>1 Danielle Calvo 2 represented Mr. Perez in court on these 3 three violations that you could have 4 checked out. Mr. Perez got his own license 5 suspended before Judge Walrus (phonetic) 6 and he came out and hired me on an appeal 7 and then he went home and found out his 8 license was suspended and then he came back 9 to court. 10 And you know what he did when 11 he came back to court, he demanded his 12 money back and you know what I did, I gave 13 his money back. And you know what he did 14 after that, he threatened me with a knife. 15 He was going to cut me and stab me with a 16 knife and then slash the tires of my care. 17 MR. THOMPSON: Objection. 18 Who's testifying here? 19 Q. I'm prefacing my question. 20 Did you ever investigate the 21 actual complaint as to what actually 22 happened with me concerning this event? 23 A. I do not recall. 24 Q. But you never took my statement 25 with this report as to what happened, this</p>

12 (Pages 45 to 48)

December 17, 2020

Page 49	Page 51
<p>1 Danielle Calvo 2 is a clerical supervisor making this 3 report?</p> <p>4 A. Anyone could make any report 5 they want to.</p> <p>6 Q. So, a false report that is 7 submitted to your office and you accept it 8 as truth; is that a fair statement?</p> <p>9 MR. THOMPSON: Objection to the 10 form of the question. You can 11 answer.</p> <p>12 Q. You accept this report as true?</p> <p>13 A. Is that report sent to me?</p> <p>14 Q. It's written in big Melanie 15 Levine.</p> <p>16 A. All right, but who is it sent 17 to?</p> <p>18 Q. It's written by a clerical 19 supervisor, did you not have access to this 20 report?</p> <p>21 A. All right, but I can't stop 22 anyone from making whatever report they 23 want.</p> <p>24 Q. You don't investigate the 25 truthfulness of any of these reports?</p>	<p>1 Danielle Calvo 2 MR. THOMPSON: Objection to 3 form, you can answer.</p> <p>4 A. I was not doing anything. If 5 they made the reports they made the 6 reports. I was not amassing any kind of 7 thing against you.</p> <p>8 Q. You didn't investigate the 9 truth and you didn't give me any 10 opportunity to respond, so pretty much any 11 report that is written is accepted as truth 12 in your office; right?</p> <p>13 MR. THOMPSON: Objection.</p> <p>14 Object to the form. Objection, asked 15 and answered. Objection, badgering 16 the witness.</p> <p>17 Q. At what point in time did you 18 give me an opportunity to respond to that 19 report --</p> <p>20 MR. THOMPSON: Objection to the 21 form.</p> <p>22 Q. -- at what point in time did 23 you give me an opportunity to respond to 24 that report?</p> <p>25 MR. THOMPSON: You can answer.</p>
<p>1 Danielle Calvo 2 A. I don't recall what I did at 3 that time in regards to that report, but 4 anyone could make whatever report they 5 want.</p> <p>6 Q. Anybody could say whatever they 7 want, say it whether it has any truth or 8 not with respect to your office and you 9 don't care, you let them write whatever 10 they want?</p> <p>11 MR. THOMPSON: Objection, 12 argumentative?</p> <p>13 Q. I'm not being argumentative, is 14 that your position?</p> <p>15 A. I never said I don't care, but 16 I can't block someone from making a work 17 place violence report.</p> <p>18 Q. Fine.</p> <p>19 You don't investigate the truth 20 of that report now, do you?</p> <p>21 A. I'm not an investigator, I was 22 a supervisor.</p> <p>23 Q. But, you're using those reports 24 to get me removed from the Brooklyn TVB, 25 are you not?</p>	<p>1 Danielle Calvo 2 A. It's a report, it's not a 3 question and answer --</p> <p>4 Q. That was used --</p> <p>5 A. -- it's a report made by a DMV 6 employee.</p> <p>7 Q. To get me removed from 8 practicing law in all New TVBs. You don't 9 investigate the truth of it, you give me no 10 opportunity to respond to it --</p> <p>11 MR. THOMPSON: Objection, asked 12 and answered.</p> <p>13 Q. -- is that a fair statement?</p> <p>14 MR. THOMPSON: Same objection. 15 Object as to form, you can answer.</p> <p>16 A. No, it's not a fair statement.</p> <p>17 Q. At what point in time did I get 18 to see this work incident report prior to 19 my removal of May 11, 2015, when?</p> <p>20 A. That would have been up to 21 Albany, not to me.</p> <p>22 Q. Where is this report sent to?</p> <p>23 A. Look at the top of the page, I 24 don't know.</p> <p>25 Q. And you also sent work violence</p>

13 (Pages 49 to 52)

December 17, 2020

Page 53	Page 55
<p>1 Danielle Calvo 2 reports up to the chain, right; you sent 3 them to Albany work violence reports, did 4 you not? 5 A. I'm sure I have, yes. 6 Q. Concerning me? 7 A. I don't recall. 8 Q. Did you ever give me an 9 opportunity to supply my version of the 10 story as to what happened to any of these 11 work violence reports? 12 A. A workplace violence report is 13 a report by someone who has an issue. It 14 is not up for me to decide whether or not 15 it's true or whether or not I want to send 16 it. 17 Q. Anybody in your office can 18 write whatever they want whether it's true 19 or not -- 20 MR. THOMPSON: Objection, you 21 keep -- 22 Q. -- and it gets accepted -- 23 MR. THOMPSON: You keep making 24 these laud statement. 25 Q. Anybody gets to write whatever</p>	<p>1 Danielle Calvo 2 me to give you, and to have the police 3 escort me to let you know to call Albany. 4 What they were going to do with you after 5 that or what they were going to allow, was 6 not ever my decision. 7 Q. But, you personally approached 8 me on the morning of May 11th; right? 9 A. Yes, as told by my supervisor 10 to do. 11 Q. And that was whom? 12 A. Ida Traschen is the one who 13 told me to do that. 14 Q. After consulting with Judge 15 Gelbstein that morning. 16 Now, you didn't like me, right, 17 you didn't like me as an attorney working 18 down there; is that true? 19 MR. THOMPSON: Objection, asked 20 and answered. 21 Q. You didn't like me as an 22 attorney? 23 A. I didn't like the things you 24 did. 25 Q. And you wanted me out of there;</p>
<p>1 Danielle Calvo 2 they want on a work incident report, is 3 that true and make whatever statements they 4 want without any review by your office? 5 MR. THOMPSON: Object to the 6 form. You can answer. 7 A. Anyone could make any kind of 8 statement, yes. If they feel that it was 9 workplace violence they are allowed to make 10 a report. 11 Q. And your office does no review 12 of it? 13 A. What we did or did not do at 14 that time, I don't remember. But, this 15 report was not to me. If you go back to 16 the top of the page, I believe it's to 17 someone in Albany, whatever department. 18 Q. Were you personally involved in 19 my removal on May 11, 2015? 20 MR. THOMPSON: Object to the 21 form, you can answer. 22 Q. Were personally involved in my 23 removal on the morning of May 11, 2015? 24 A. My only involvement was to give 25 you the information that Ida Traschen told</p>	<p>1 Danielle Calvo 2 right? 3 MR. THOMPSON: Objection, asked 4 and answered. 5 A. I wanted you to stop what you 6 were doing. I didn't care one way if you 7 were out of there or not. I just needed to 8 have certain order in the place and -- 9 Q. You never explained exactly 10 what I was doing? 11 MR. THOMPSON: You cannot keep 12 asking the same question over and 13 over in a louder and louder tone of 14 voice and hoping to get a different 15 answer. That's badgering the 16 witness, it's not acceptable as the 17 Federal rules and I'd ask you to cut 18 it out, please. 19 MR. CAPOGROSSO: It's a 20 different context that I asked that 21 question. Different context. 22 This is in respect to the 23 morning of May 11th. That question 24 was asked with respect to another 25 incident. That question was asked</p>

14 (Pages 53 to 56)

December 17, 2020

15 (Pages 57 to 60)

December 17, 2020

Page 61	Page 63
<p>1 Danielle Calvo 2 MR. THOMPSON: Objection, calls 3 for a legal conclusion. 4 A. I was a supervisor and I was 5 told by my supervisors what to do and 6 that's what I did. I asked you to leave 7 the building. 8 Q. And you never followed up as to 9 look to the videotape as to what happened 10 that day? 11 MR. THOMPSON: Objection, asked 12 and answered. 13 Q. Did you look at the videotape 14 after I was removed? 15 MR. THOMPSON: Objection as to 16 form. Objection, asked and answered, 17 you can answer. 18 A. I don't remember if I did, but 19 at that point that you were gone, it's out 20 of my hands what they decided to do as far 21 as that goes, had nothing to do with me. 22 No one asked me my opinion. 23 Q. But it was your report to 24 Gelbstein and then to Traschen based on 25 what you said somebody told you, that got</p>	<p>1 Danielle Calvo 2 question at this point eight or nine 3 times. 4 Q. You never verified what you saw 5 or what you were told, did you, at any 6 point in time? 7 MR. THOMPSON: Object to the 8 form of the question. You can answer 9 and Mr. Capogrosso I would ask you to 10 not ask the same question again for 11 time Number 10. 12 Q. I'm waiting, did you ever 13 verify what you were told was truthful? 14 A. Nobody asked me to verify it. 15 So, if someone asked me to that's not part 16 of my job, I'm not an investigator. We 17 have a whole DMV investigation unit if they 18 wanted to investigate an incident or a 19 police report or anything else. 20 Q. So, you didn't feel any 21 compulsion just to verify the truthfulness 22 of what somebody told you? 23 MR. THOMPSON: Objection. 24 Q. The first party that you know 25 who it is and you felt no compulsion to</p>
<p>1 Danielle Calvo 2 me removed; but you didn't verify that 3 story by looking at the videotape, now did 4 you? 5 MR. THOMPSON: Objection as to 6 form. Objection, asked and answered, 7 you can answer. 8 A. I reported what I was told and 9 what happened as far as I know it. 10 Q. But you didn't verify -- 11 A. Any investigation is not to be 12 done by me. I'm not the legal division of 13 the Department of Motor Vehicles. I'm not 14 an investigator. 15 Q. But you're the one telling 16 Gelbstein and you're the one telling 17 Traschen of this alleged incident of what 18 happened? 19 MR. THOMPSON: Objection, 20 argumentative. 21 Q. But you never verified that 22 what you told them was actually true, now 23 did you? 24 MR. THOMPSON: Objection, asked 25 and answered. You've asked this</p>	<p>1 Danielle Calvo 2 verify that? 3 MR. THOMPSON: You've already 4 asked this question, she's already 5 answered it. 6 Q. That's the way business is 7 handled at the Brooklyn TVB. What 8 everybody says that's acceptable as truth, 9 right; is that how business is handled down 10 there? 11 MR. THOMPSON: Objection, 12 compound. Why don't you pick one 13 question and ask it. 14 Q. Is that how business is handled 15 at the Brooklyn TVB? 16 MR. THOMPSON: Objection to the 17 form. 18 Q. Miss, you have to answer it. 19 That's how business is handled, 20 people make complaints -- 21 MR. THOMPSON: Mr. Capogrosso 22 that is not even a question. Are we 23 done here? What are we doing? 24 MR. CAPOGROSSO: Give me 25 another three minutes, let me make</p>

16 (Pages 61 to 64)

December 17, 2020

<p style="text-align: right;">Page 65</p> <p>1 Danielle Calvo 2 sure I got everything. Give me a few 3 more minutes. 4 Q. Did you tell Defendant Smart to 5 approach me on the morning of May 11, 2015? 6 A. I never told him to approach 7 you for anything. 8 Q. Did you attempt to curtail my 9 exercise of freedom of speech by having me 10 removed from the Brooklyn TVB? 11 MR. THOMPSON: Objection to the 12 form of the question. You can 13 answer. 14 A. No. 15 Q. Did you ever observe ticket 16 brokers going to Defendant Gelbstein's 17 office, ticket brokers, you know what a 18 ticket broker is, right? 19 Did you ever observe ticket 20 brokers in Defendant Gelbstein's office? 21 MR. THOMPSON: Objection to the 22 form, you can answer. 23 A. Rumor to be, yes. Do I have 24 proof what they were? No. 25 Q. But, you saw them in his</p>	<p style="text-align: right;">Page 67</p> <p>1 Danielle Calvo 2 A. No. 3 Q. Do you have any knowledge that 4 Defendant Gelbstein had his own caseload 5 down there at the Brooklyn TVB? 6 A. No. 7 Q. Did you think it was suspicious 8 that ticket brokers were in his office on a 9 routine basis? 10 MR. THOMPSON: Objection to the 11 form, you can answer. 12 Q. Was it suspicious to you? 13 A. Yes. 14 Q. It was suspicious. 15 Were you concerned about it; 16 were you concerned about it that he was 17 doing something wrong? 18 A. I was concerned about it, but I 19 had no proof, so... 20 Q. But you didn't do anything 21 about it, right, you didn't file any 22 complaint with anybody; you see, I did and 23 I got removed. 24 MR. THOMPSON: Objection to the 25 form of the question.</p>
<p style="text-align: right;">Page 66</p> <p>1 Danielle Calvo 2 office; right? 3 A. Yes. 4 Q. Did you question him why they 5 were in his office? 6 A. Question him? 7 Q. Yes. 8 A. He's my supervisor, I wasn't in 9 a position to question him. 10 Q. Did you ever see defendant 11 Gelbstein in the GE room pleading motorists 12 guilty or have any knowledge to that 13 effect? 14 A. No. 15 Q. Did you ever see Defendant 16 Gelbstein in the GE room rescheduling 17 motorists cases, did you ever see him doing 18 that? 19 A. No. 20 Q. Did you have any knowledge of 21 any attorneys covering cases for Defendant 22 Gelbstein while they were working at the 23 Brooklyn TVB? 24 A. No. 25 Q. Arguing cases on his behalf?</p>	<p style="text-align: right;">Page 68</p> <p>1 Danielle Calvo 2 Q. I did complain, I saw what was 3 going on and I complained. 4 MR. THOMPSON: Same objection. 5 Q. And I got removed, but you 6 didn't do anything; right? 7 MR. THOMPSON: Objection to the 8 form of the question. 9 Q. But you saw the activities of 10 Defendant Gelbstein and what he was doing? 11 MR. THOMPSON: Mr. Capogrosso 12 can you ask one question and if 13 you're just going to pontificate 14 instead of asking questions then 15 maybe we should be done. If you have 16 a question to ask, ask it. 17 Q. You saw the action of Defendant 18 Gelbstein, right, after what he was doing? 19 A. If I can't say what he was 20 actually doing. Did I see people go into 21 his office that I didn't think should be 22 there, yeah, but I can't say what they were 23 doing. 24 MR. CAPOGROSSO: All right. 25 Okay. That's it. Okay, thank you</p>

17 (Pages 65 to 68)

December 17, 2020

<p>1 Danielle Calvo 2 very much. I'm done. 3 (Whereupon, at 2:37 P.M., the 4 Examination of this witness was 5 concluded.) 6 o o o o 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 Danielle Calvo 2 EXHIBITS 3 4 PLAINTIFF'S EXHIBITS (Previously marked) 5 6 EXHIBIT EXHIBIT PAGE 7 NUMBER DESCRIPTION 8 4 Three-page DMV article 24 9 11 One-page letter dated 10 June 20, 2012 30 11 7 11-page Verified Petition 37 12 85 Four-page workplace 13 violence incident 45 14 67 Three-page workplace 15 violence incident 67 16 17 (Exhibits retained by Court Reporter.) 18 19 20 21 22 23 24 25</p>
<p>1 2 DECLARATION 3 4 I hereby certify that having been 5 first duly sworn to testify to the truth, I 6 gave the above testimony. 7 8 I FURTHER CERTIFY that the foregoing 9 transcript is a true and correct transcript 10 of the testimony given by me at the time 11 and place specified hereinbefore. 12 13 14</p> <p>15 DANIELLE CALVO 16 17 Subscribed and sworn to before me 18 this ____ day of ____ 20 _____. 19 20 21</p> <p>22 NOTARY PUBLIC 23 24 25</p>	<p>1 2 3 4 EXAMINATION BY PAGE 5 MR. CAPOGROSSO 3 6 7 8 INFORMATION AND/OR DOCUMENTS REQUESTED 9 INFORMATION AND/OR DOCUMENTS PAGE 10 (None) 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>15 QUESTIONS MARKED FOR RULINGS 16 17 18 19 20 21 22 23 24 25</p>

18 (Pages 69 to 72)

December 17, 2020

Page 73

1 Danielle Calvo
2 CERTIFICATE
3

4 STATE OF NEW YORK)
5 : SS.;
6 COUNTY OF KINGS)

7 I, JAMIE NEWMAN, a Notary Public for
8 and within the State of New York, do hereby
9 certify:

10 That the witness whose examination is
11 hereinbefore set forth was duly sworn and
12 that such examination is a true record of
13 the testimony given by that witness.

14 I further certify that I am not
15 related to any of the parties to this
16 action by blood or by marriage and that I
17 am in no way interested in the outcome of
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto
20 set my hand this 31st day of December 2020.

21

22

23



JAMIE NEWMAN

24

25

19 (Page 73)

December 17, 2020

Page 74

A	aggressive (4) 22:18 35:3,4,8 ahead (1) 57:5 ALAN (2) 1:8 2:9 Albany (5) 2:19 52:21 53:3 54:17 55:3 Alexis (1) 26:9 allegations (5) 24:4 25:18 26:17 35:17 46:12 alleged (8) 5:9 8:17 9:18 18:20 19:6,23 42:7 62:17 allow (1) 55:5 allowed (5) 10:11 28:18,20 29:8 54:9 altercation (3) 6:2 18:21 19:6 amassing (1) 51:6 AND/OR (2) 72:8,9 answer (60) 5:13 6:6 7:2,20 8:8 9:9 10:8 10:14 11:18 12:17,24 13:13 14:5 15:8,20 16:11 17:13,19 18:6 18:11,25 20:6 21:8 22:3 23:5,5 24:7 afternoon (2) 10:19,22 against- (1) 1:6	42:10 43:2,9 43:19 45:12 47:14 49:11 51:3,25 52:3 52:15 54:6,21 56:15 58:15 58:20 59:19 61:17 62:7 63:8 64:18 65:13,22 67:11 answered (24) 8:16 12:17 18:5 23:20 27:7 31:23 36:7 39:18 39:23 40:6,21 41:17 42:9,25 45:11 51:14 52:11 55:19 56:3,20,24,25 59:24 61:6,11 61:16,22 62:6 62:24,25 63:14,15 64:4 asking (8) 12:14 17:22 23:8 28:7 36:13 44:25 56:12 68:14 assaulted (1) 14:17 attempt (3) 19:4,14 65:8 attend (1) 28:21 attention (4) 25:8 26:8 30:2 30:10 attorney (11) 2:8 11:14 27:25 37:17 43:5 44:10,11 44:15 46:19 55:17,22 attorney/clie... 58:19 attorneys (14) 2:9,17 21:3 25:13 26:14 27:11,20 28:7 28:16 29:9,18 38:17 40:13 66:21 attorneys' (1)	10:19 authority (3) 12:21 14:10 60:24 aware (22) 10:15,17 11:21 14:19,21 15:16 16:8 25:3,18,22,25 26:3,16,22,23 27:2,8,23 28:10 44:8,9 45:19	
B				
	B (1) 71:2 back (17) 18:13 28:11 42:19 48:8,11 48:12,13 54:15 57:24 57:25 58:4,4 58:9,9,13,13 59:12 badger (1) 39:24 badgering (2) 51:15 56:15 BARBARA (1) 2:19 barbara.mon... 2:20 based (6) 5:24 7:14,25 8:2 43:15 61:24 basis (3) 13:5 58:18 67:9 behalf (1) 66:25 behaved (1) 40:17 behavior (2) 35:3,5			

December 17, 2020

Page 75

believe (4) 28:24 54:16 60:18,20	business (4) 64:6,9,14,19	54:1 55:1 56:1 57:1	14:18 certain (4) 13:2 26:11 28:16 56:8	closing (1) 13:15 coffee (5) 41:22,23 42:4 42:12,20
bell (1) 45:15	buying (4) 27:16 32:14,14 41:16	58:1 59:1,9 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:15 71:1 72:1 73:1	70:4,8 73:9,14 certify (4) 70:4,8 73:9,14	chain (1) 53:2 chance (1) 39:6 checked (1) 48:4
big (1) 49:14	C	18:12 19:17	Christmas (5) 27:21 28:9,18 28:20 41:15	COMMISSION (1) 1:10 2:12,17 committed (1) 44:21 committee (3) 44:3,6,24
blanche (2) 17:8 18:2	call (11) 4:24 5:2 7:15 7:22,22,23 10:2,4,11 13:6 55:3	2:2 3:5 70:2 73:2,2 4:24 5:2 7:15 7:22,22,23 10:2,4,11 13:6 55:3	cameras (2) 18:12 19:17	company (1) 13:3 complain (1) 68:2
block (1) 50:16	called (5) 3:5 4:24,25 6:8 26:14	2:12,18 3:5 4:24,25 6:8 26:14	Civil (1) 1:19	complained (1) 68:3
blocking (1) 42:20	calls (2) 19:16 61:2	3:18 35:13,17	Capogrosso (1) 1:3 2:4 3:4,10	complaining (1) 35:9
blood (1) 73:16	Calvo (75) 1:9,17 2:10	37:18 43:12 46:19 56:19 57:19,24 58:9 59:10 63:9 64:21,24 68:11,24 72:5	27:17 24:24 40:4 46:17 49:2,18	complaint (13) 14:6,8,12,19
breakfast (2) 27:16 41:16	called (5) 3:5 4:24,25 6:8 26:14	12:1 13:1 14:1 15:1	clerk (3) 13:20,20 14:3	15:17,23 16:2
bribes (2) 24:16 25:2	calls (2) 19:16 61:2	16:1 7:1 8:1 9:1 10:1 11:1	22:17 24:24 24:16 26:10 27:24	16:14 42:2
bring (2) 44:5,23	Calvo (75) 1:9,17 2:10	12:1 13:1 14:1 15:1	clerks (37) 21:2,4,9 23:10	44:23 45:18
Brody (8) 37:21 39:11 41:21,21 42:8 42:11,15 43:6	Calvo (75) 1:9,17 2:10	16:1 17:1 18:1 19:1	23:13,15,23	48:21 67:22
Brody's (1) 38:9	Calvo (75) 1:9,17 2:10	20:1 21:1 22:1 23:1	complaints (1) 12:3,6,8,10,15	
broker (1) 65:18	Calvo (75) 1:9,17 2:10	24:1 25:1 26:1 27:1	13:25 16:21	
brokers (4) 65:16,17,20 67:8	Calvo (75) 1:9,17 2:10	28:1 29:1 30:1 31:1	17:5 20:12,23	
Brooklyn (21) 3:16,24 12:4 12:22 13:11 17:9 18:9 20:14,15 21:3 26:18 33:11 34:12 43:14 46:9 50:24 64:7,15 65:10 66:23 67:5	Case (1) 1:6	34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1	29:4,15,20 30:4,23 31:6 31:15,20,25 32:7 33:2 36:10,14 37:4	21:13,20
building (3) 5:6 59:11 61:7	caseload (1) 67:4	27:3,21 29:15 32:15 39:21	39:22 40:20	25:23 30:4
Bureau (2) 2:16 25:11	cash (8) 25:12 26:12	40:3	41:7,15 44:4 44:22	32:25 33:9
	cell (1)	52:1 53:1	clients (5) 25:15 40:16,19 40:25 41:4 44:22	34:7 35:16,25
			closed (1) 59:7	36:5,9,12
				40:16,24 41:3
				41:6,11 44:20
				complicit (1) 11:2
				compound (2) 21:7 64:12
				compulsion (2) 63:21,25
				concerned (3) 67:15,16,18

December 17, 2020

Page 76

concerning (...	15:15	64:1 65:1	12:21 14:2,9	division (1)
8:18,22 9:18	cup (3)	66:1 67:1	14:16,20	62:12
9:24,25 10:3	41:22,23 42:5	68:1 69:1	15:12,17 16:4	DMV (12)
10:5 16:15,22	curtail (2)	70:15 71:1	16:6,15,21,22	1:10 2:12,16
36:15,16	15:5 65:8	72:1 73:1	17:7,16,25	2:17 24:16
38:18 39:8,10	cut (2)	date (7)	18:21 19:7,24	39:17 45:3
43:24 48:22	48:15 56:17	1:13 22:25	20:2,25 57:9	46:9,9 52:5
53:6	CV (1)	23:23 31:20	57:25 58:2,3	63:17 71:8
concluded (1)	1:6	31:25 32:11	58:11,12	DOCUMEN...
69:5		42:4	59:21,21 65:4	72:8,9
conclusion (1)		dated (1)	65:16,20	doing (12)
61:3		71:9	66:10,15,21	27:24 34:23
conduct (6)	3:5 70:2 72:2	David (3)	67:4 68:10,17	51:4 56:6,10
30:20,22 31:5	daily (1)	1:10 2:11	Defendants (2)	64:23 66:17
31:10,13	13:5	58:10	1:12 2:9	67:17 68:10
44:17	Danielle (76)	day (12)	defense (1)	68:18,20,23
consulting (1)	1:9,17 2:10	4:15 26:14	26:12	drive (1)
55:14	3:13 4:1 5:1	42:12,16,23	deficient (1)	18:15
context (2)	6:1 7:1 8:1	47:25 60:6,19	25:15	duly (3)
56:20,21	9:1 10:1 11:1	60:25 61:10	demanded (1)	3:6 70:5 73:11
contribute (1)	12:1 13:1	70:19 73:20	48:11	
28:19	14:1 15:1	day-to-day (4)	department (4)	
control (1)	16:1 17:1	13:10,17,21	37:18 44:11	E (9)
18:8	18:1 19:1	29:7	54:17 62:13	2:2,2 3:5,5
conversation...	20:1 21:1	December (8)	depends (3)	70:2 71:2
4:13 7:11 8:24	22:1 23:1	1:13 15:12	14:6 22:4 47:6	72:2 73:2,2
9:20 58:17	24:1 25:1	16:5,6 38:2	DEPOSITIO...	Eamon (2)
correct (3)	26:1 27:1	39:11 41:21	1:16	44:12,16
4:3 13:22 70:9	28:1 29:1	73:20	description (2)	EASTERN (1)
corrupt (1)	30:1,12 31:1	decide (3)	58:7 71:7	1:2
25:11	32:1 33:1	6:7 31:9 53:14	different (4)	Eddie (1)
corruption (3)	34:1 35:1	decided (2)	12:8 56:14,20	26:10
24:3,4,5	36:1 37:1	5:25 61:20	56:21	effect (1)
Counsel (1)	38:1 39:1	decision (8)	direct (7)	66:13
3:3	40:1 41:1	4:19,20,21 7:3	24:10 25:15	eight (1)
COUNTY (1)	42:1 43:1	7:15,22 34:17	26:8 30:2	63:2
73:5	44:1 45:1	55:6	36:13 37:6,10	either (2)
couple (2)	46:1 47:1	decisions (1)	directed (1)	34:11 58:22
3:19 25:5	48:1 49:1	14:15	5:2	EK (1)
court (7)	50:1 51:1	defendant (55)	Directing (2)	1:6
1:2 36:21	52:1 53:1	1:16 2:17 5:10	25:8 30:10	Empire (1)
47:11 48:2,9	54:1 55:1	5:17,22 6:3	directly (3)	2:18
48:11 71:17	56:1 57:1	8:21 9:23	15:14 18:14	employee (1)
covering (1)	58:1 59:1,9	10:3,20,24	23:10	52:6
66:21	60:1 61:1	11:6,9,10	DISTRICT (2)	employees (1)
cross (1)	62:1 63:1	12:3,5,11,13	1:2,2	25:12

December 17, 2020

Page 77

empty (1) 41:22	exhibits (3) 3:2 71:4,17	feel (3) 31:10 54:8	15:20 16:11 17:12 18:11	garner (1) 25:14
erase (1) 19:11	experienced ... 22:16	63:20	18:24 19:20	GE (2) 66:11,16
escort (1) 55:3	explained (1) 56:9	felt (4) 20:21 33:19 34:14 63:25	20:6 21:7 22:3 23:5,20 24:7 25:21	Gelbstein (38) 1:8 2:9 5:4,5
ESQ (2) 2:14,19	extent (2) 12:25 13:24	file (4) 2:20 38:4 41:12 67:21	27:6 28:13 29:17 31:2 32:19 33:14	6:8 7:16,21 7:23 10:3,20 10:25 11:6,9
ethnic (1) 32:5	F	filed (4)	34:10,18	12:5 14:9,20
event (1) 48:22	F (1) 73:2	14:20 15:17 45:18,20	35:22 38:20 41:9 42:25	15:18 16:15 16:22 20:3,25
events (1) 58:8	face (2) 16:24,24	find (1) 57:12	43:9,19 44:14 45:11 47:14	28:18 55:15 58:3,12,23
everybody (1) 64:8	fact (1) 5:16	fine (2) 30:14 50:18	49:10 51:3,14 51:21 52:15	59:4,8,12,21 61:24 62:16
evidence (3) 18:20 19:5,17	facts (1) 46:12	FIRM (1) 2:4	54:6,21 57:21 59:19 60:15	66:11,16,22 67:4 68:10,18
exact (3) 7:10,11,12	factually (1) 9:5	first (5) 3:6 25:9 57:18 63:24 70:5	61:16 62:6 63:8 64:17	Gelbstein's (2) 65:16,20
exactly (9) 7:9 8:13 22:4 23:23 30:23 32:2 34:25 56:9 59:25	fair (19) 8:5 10:5 17:17 18:3 20:16,17 20:19,24 21:24 32:16	fist (1) 59:7	65:12,22 67:11,25 68:8	general (4) 2:8 22:7 25:16
examination ... 3:9 69:4 72:4 73:10,12	33:12 34:2,12 37:4 49:8 52:13,16 59:17,22	fix (1) 25:2	former (1) 26:10	26:22
examined (1) 3:8	false (1) 49:6	fixing (4) 24:17,22 25:12 25:23	Fort (1) 3:15	general's (1) 11:15
exchange (1) 26:12	familiar (12) 24:2,4,15,20 24:21,25	floor (2) 2:13 6:20	fixing (4) 24:17,22 25:12 25:23	getting (1) 41:7
excuse (4) 23:14 42:12,13 42:16	30:15 41:25 45:13,14,21	followed (2) 12:4 61:8	forth (2) 28:11 73:11	gifts (5) 25:14 26:2
exercise (1) 65:9	46:4	following (1) 59:2	found (3) 25:7,10 48:7	27:2,12 40:11
exhibit (19) 24:10,11,12 30:3,5,5,6,7 30:11,11,16 37:6,7 45:24 45:25 57:13 57:14 71:6,6	far (3) 13:15 61:20 62:9	follows (1) 3:8	four (1) 41:18	give (24) 23:3,6,17,21
exhibited (2) 30:22 31:5	February (1) 46:9	food (1) 28:25	Four-page (1) 71:12	28:19,22 30:6 35:6 36:3,8
	Federal (2) 1:18 56:17	foregoing (1) 70:8	fourth (1) 26:9	38:3,13 41:14 43:6 51:9,18
	fee (2) 16:7,9	form (63) 5:12 6:5 7:2,19	freedom (2) 18:2 65:9	51:23 52:9 53:8 54:24
		8:7 9:8 10:8 10:14 11:18	fuck (3) 17:2 42:13,16	55:2 59:20 64:24 65:2
		12:24 13:13 14:5,23 15:8	further (2) 70:8 73:14	given (8) 17:8 28:15
			G	29:9 31:3 35:17 60:3
			garbage (1) 41:23	70:10 73:13 giving (6)

December 17, 2020

Page 78

27:11,20 28:8 32:15 39:21 40:3 go (12) 11:3 14:3 26:7 30:3,5 42:13 42:16 46:16 54:15 57:5 59:9 68:20 goes (1) 61:21 going (13) 3:19 8:10 10:16 26:22 28:11 48:15 55:4,5 58:16 60:2 65:16 68:3,13 governed (3) 13:10,17,21 gratuities (4) 29:20,23 40:3 40:12 grievance (4) 44:3,5,6,24 grieve (2) 44:20,22 grieved (3) 44:2,10,17 GROUP (2) 1:10 2:11 guilty (1) 66:12	happen (2) 8:10 10:16 happened (23) 6:9,11,20,24 9:18 37:25 38:5,24 42:23 43:7 47:21,25 48:22,25 53:10 59:22 60:2,6,8,16 61:9 62:9,18 happening (1) 27:22 harassment (1) 17:16 hard (1) 18:15 hater (2) 42:14,17 heard (1) 40:23 held (1) 1:19 hereinbefore... 70:11 73:11 hereunto (1) 73:19 hired (1) 48:6 Hold (1) 36:21 holiday (1) 29:2 holidays (2) 28:23 32:15 home (1) 48:7 hoping (1) 56:14	54:25 55:12 58:18 idea (5) 8:9 43:22 45:2 58:25 59:24 identify (1) 37:2 IG (1) 25:16 illegal (1) 27:9 illicit (2) 38:16,23 impossible (1) 36:23 improper (5) 25:14 29:14,19 29:19,24 improperly (1) 40:18 inappropriat... 44:17 incapable (1) 11:3 inches (1) 16:24 incident (44) 5:9,16,25 6:18 8:18,19,22 9:4,18,22,24 10:3,5 19:23 23:7 32:11 33:20 37:21 37:22,23 38:5 38:18 39:10 41:20 42:4,8 43:15,24 45:20 46:5,12 46:14 47:20 52:18 54:2 56:25 57:2,3 Ida (15) 1:8 2:10 4:7,13 4:21,24,25 7:22,24 10:4 11:9 20:8	31:17 33:17 35:11 incompetent ... 11:3 indicate (1) 37:20 indicates (1) 57:24 individual (6) 1:8,8,9 2:9,10 2:11 information ... 32:12 54:25 72:8,9 Inspector (1) 25:16 instance (4) 22:25 23:18,22 37:3 instances (1) 35:7 instruct (1) 58:16 interested (1) 73:17 introduced (5) 24:14 30:9 37:9 46:3 57:16 investigate (1... 17:4 21:18 46:11,22 48:20 49:24 50:19 51:8 52:9 63:18 investigated ... 47:4 investigation... 16:17 25:7,10 32:25 33:6,25 35:15 62:11 63:17 investigator (... 50:21 62:14 63:16 involved (2)	54:18,22 involvement ... 54:24 issue (2) 36:5 53:13 issues (1) 36:14 items (1) 28:25
J				
				JAMES (1)
				2:14 james.thomp...
				2:14 Jamie (3)
				1:20 73:7,23 January (2)
				46:21 47:9 Jeffrey (1)
				27:15 Jew (2)
				42:14,17 job (1)
				63:16 judge (12)
				5:4,5 6:8 7:15 7:21,23 21:3 28:18 48:5 55:14 59:4,8 June (4)
				14:16 16:4 31:3 71:10
K				
				Kalker (1)
				28:22 keep (5)
				19:4,11 53:21 53:23 56:11 kept (3)
				18:17,19 20:25 kind (2)
				51:6 54:7 KINGS (1)
				73:5

December 17, 2020

Page 79

73:5	59:16	50:16 53:23	monitor (2)	60:13 61:8
knew (1)	lawfully (2)	Manhattan (1)	18:13 19:16	62:21 63:4
15:9	60:19,21	26:19	MONTENA ...	65:6
knife (2)	lawyers (1)	March (1)	2:19	new (22)
48:14,16	26:12	11:15	morning (14)	1:2,21 2:5,5,8
know (52)	LB (1)	Mario (3)	3:23 4:8,12 5:6	2:13,13,19
6:9,18,19 7:6	1:6	1:3 2:4 3:18	11:11 13:7	3:7,16 8:4
9:15,16 10:12	leading (1)	Mark (4)	27:17 54:23	10:12 24:3,5
10:23 11:19	58:8	1:10 2:12,17	55:8,15 56:23	24:22 25:14
11:20 12:7	Leahy (1)	3:4	57:3,9 65:5	44:4,7 52:8
13:8 15:9,10	25:16	marked (8)	Motor (3)	59:16 73:4,8
19:9,21 21:21	leave (5)	3:3 24:13 30:8	37:18 44:11	Newman (3)
21:22,23 22:5	3:25 4:16	37:8 46:2	62:13	1:20 73:7,23
22:7 23:24	42:18 59:11	57:15 71:4	motorist (1)	nine (1)
27:14 28:4	61:6	72:16	41:4	63:2
30:17 35:12	legal (3)	marriage (1)	motorists (6)	Northern (1)
35:13,14,19	2:16 61:3	73:16	26:11 40:16,19	26:19
36:11,12	62:12	matter (1)	40:25 66:11	Notary (4)
42:15 43:20	let's (2)	73:18	66:17	1:21 3:7 70:22
44:18 45:2,5	45:13 46:16	meals (8)	N	73:7
46:14 47:2,8	letter (3)	26:13 27:12	N (4)	notice (2)
47:11,12,15	11:14 31:3	29:3,15 32:15	2:2 3:5 70:2	1:18 5:15
47:17,18	71:9	39:21 40:3,12	72:2	now's (1)
48:10,12,13	Levine (3)	mean (1)	name (6)	39:5
52:24 55:3	45:14,15 49:15	20:24	3:11 7:7 22:21	Number (2)
62:9 63:24	Liberty (1)	Melanie (3)	22:23,24	63:11 71:7
65:17	2:13	45:14,15 49:14	45:15	NY (2)
knowledge (7)	license (2)	memory (1)	named (1)	1:10 2:11
11:8,24 12:15	48:4,8	37:5	44:12	O
24:18 66:12	line (2)	mine (1)	names (1)	O (2)
66:20 67:3	58:9 72:17	40:17	22:21	3:5 70:2
knowledgeab...	leek (6)	minute (1)	nature (2)	Object (17)
11:13,16 12:2	6:13,16 24:20	30:6	7:10 9:4	10:7,13 14:4
12:6 14:10	52:23 61:9,13	minutes (2)	need (1)	15:7 16:10
known (2)	looking (2)	64:25 65:3	38:15	18:10 21:6
12:19 29:22	58:6 62:3	mired (1)	needed (1)	23:19 27:6
Kosher (1)	lot (2)	25:11	56:7	29:16 51:14
28:25	12:7,8	misconduct (2)	never (21)	52:15 54:5,20
L	loud (2)	33:10 37:3	9:3 23:12,13	57:20 60:14
L (4)	56:13,13	moment (1)	35:24 38:23	63:7
3:5,5,5 70:2	27:16	10:15	42:6 45:7	objection (92)
laud (1)		money (9)	47:10,10,19	5:11 6:4,25
53:24		26:2 27:12,21	47:25 48:24	7:18 8:6,15
law (4)	making (5)	28:8,11 29:15	50:15 56:9	8:20 9:7
2:4 8:4 52:8	39:14 49:2,22	41:15 48:12	58:22 60:12	11:17 12:16
		48:13		

December 17, 2020

Page 80

12:23 13:12 13:19,23 14:22 15:19 17:11,18 18:4 18:23 19:8,19 20:5 21:17 22:2 23:4 24:6 25:20 26:5 27:5,6 28:12 29:6,21 30:25 31:7,22 32:3,8,18 33:13 34:3,9 36:6,18 38:19 38:25 39:18 39:23 40:6,21 41:8,17 42:9 42:24 43:8,18 44:13 45:10 45:11 47:13 48:17 49:9 50:11 51:2,13 51:14,15,20 52:11,14 53:20 55:19 56:3 59:18 61:2,11,15,16 62:5,6,19,24 63:23 64:11 64:16 65:11 65:21 67:10 67:24 68:4,7 observation (2) 6:23 7:25 observe (6) 6:10 20:2,8,9 65:15,19 occasions (1) 36:13 occurred (2) 9:6 28:4 occurrence (3) 23:18 29:7 32:2 offering (1) 25:13	office (23) 2:8 5:18 11:15 13:6 14:3 16:18 17:10 18:13 20:13 40:17 45:17 49:7 50:8 51:12 53:17 54:4,11 65:17 65:20 66:2,5 67:8 68:21 officer (1) 57:17 officers (2) 3:25 59:9 official (3) 1:11 2:12,18 Officials (1) 26:13 okay (3) 43:5 68:25,25 One-page (1) 71:9 open (1) 59:6 opening (1) 13:15 opinion (1) 61:22 opportunity ... 34:6 35:18 36:4,8 38:4 43:16,21 51:10,18,23 52:10 53:9 57:7 order (1) 56:8 outcome (1) 73:17 outside (2) 13:3 45:4 oversight (1) 25:16 owed (1) 16:9	P P (2) 2:2,2 P.M (2) 1:14 69:3 page (8) 26:8 46:16 52:23 54:16 71:6 72:4,9 72:17 paragraph (9) 25:9 26:9 37:11,14,20 39:5 57:18 58:7 59:3 Parkway (1) 3:15 part (2) 46:15 63:15 particular (1) 8:24 particularly ... 12:9 particulars (1) 9:22 parties (4) 28:15,22 29:2 73:15 party (3) 28:19,20 63:24 payments (1) 25:14 PEC (2) 1:9 2:11 people (5) 12:8 19:16 28:25 64:20 68:20 Perez (4) 46:20 47:9 48:2,4 person (4) 7:6,10 17:17 44:19 owed (1) 23:8 44:6	54:18,22 55:7 petition (3) 37:15,19 71:11 phone (4) 10:2,10 14:18 19:15 phonetic (2) 27:15 48:5 physical (1) 31:19 physically (1) 36:23 pick (1) 64:12 place (4) 2:5 50:17 56:8 70:11 Plaintiff (3) 1:4,17 2:4 Plaintiff's (6) 24:12 30:7 37:7 45:25 57:14 71:4 Plaza (1) 2:18 pleading (1) 66:11 please (3) 3:11 22:11 56:18 point (10) 9:2 21:19 45:17 51:17 51:22 52:17 59:5 61:19 63:2,6 pointed (1) 15:14 police (7) 3:25 55:2 57:8 57:12,17 59:10 63:19 pontificate (1) 68:13 portion (1) 57:23	position (4) 6:19 35:21 50:14 66:9 possible (1) 14:25 practice (4) 8:4 10:11 11:4 59:16 practices (1) 25:11 practicing (1) 52:8 prefacing (1) 48:19 preferential (... 29:10 presence (4) 3:25 10:20 20:4,10 presents (2) 32:14 39:21 preserve (3) 19:5,15,17 preserved (1) 18:17 pretty (2) 17:7 51:10 previously (7) 3:3 24:13 30:8 37:8 46:2 57:15 71:4 prior (1) 52:18 privilege (1) 58:19 privy (3) 11:13 21:12 28:6 PRO (1) 2:4 problem (10) 16:25 17:3 22:22 23:9,12 23:15 34:14 35:14,20 36:17
---	--	--	---	--

December 17, 2020

Page 81

problems (4) 22:9,11,16 35:10	questioned (3) 45:7 60:12,13	receiving (3) 27:2 29:23 40:11	49:3,4,6,12 49:13,20,22 50:3,4,17,20	51:10,18,23 52:10
Procedure (1) 1:19	questions (3) 3:19 68:14 72:16	record (3) 3:12 36:22 73:12	51:11,19,24 52:2,5,18,22 53:12,13 54:2	response (5) 15:3 16:2,14 17:14,23
proceeding (1) 37:17		recorded (1) 60:8	54:10,15 57:8 57:12,23	restrain (1) 30:20
process (1) 45:3	reaching (1) 14:18	referrals (1) 26:15	59:15 60:3 61:23 63:19	result (1) 10:10
proof (2) 65:24 67:19	read (4) 10:25 11:23 25:5 57:7	refused (1) 59:20	reported (11) 7:5 16:23 26:6 27:9 29:24 31:12,14	results (1) 33:5
public (5) 1:21 3:7 25:12 70:22 73:7	reads (1) 25:9	regards (1) 50:3	33:17,19,21 62:8	retained (1) 71:17
pull (1) 45:24		related (1) 73:15		review (2) 54:4,11
pursuant (1) 1:18	reason (3) 4:17 33:18	remember (22) 7:8 9:19 11:25 15:4 17:24	Reporter (2) 36:21 71:17	reviewing (1) 15:22
pushed (1) 14:17	reasons (1) 32:20	22:6 23:7 36:2 37:24	reporting (2) 8:10 45:4	rid (1) 39:6
put (1) 59:7	recall (45) 5:14,21,23 6:15 8:12,17	38:21,22 39:3 39:14 41:12 42:3 43:4,25 46:7 47:22	reports (9) 35:12 45:8 49:25 50:23 51:5,6 53:2,3 53:11	right (39) 3:17 4:2 6:11 6:14,24 7:16 10:12 21:5,14
		54:14 60:17 61:18	represented (...) 46:20,24 47:9 48:2	29:25 30:14
		removal (3) 52:19 54:19,23	request (1) 18:16	34:7,16 38:10
		removed (17) 16:16,20 17:6	REQUESTE... 32:8	38:18,24
		17:20 18:18	rescheduling... 66:16	39:16 41:13
		19:10,25 20:7	resolve (1) 36:5	42:8 43:17
		31:16 33:3,8	respect (15) 14:2 15:23	45:9,23 47:11
		34:5,8 37:22	16:19 17:9,16	49:16,21
		37:23 39:13	32:6 37:3	51:12 53:2
		41:5 43:3	report (42) 13:4 26:7	55:8,16 56:2
		45:23 47:16	38:5 42:7,23	60:13,24 64:9
		48:23 50:2	47:19 50:8	65:18 66:2
		53:7 57:11	56:22,24 57:2	67:21 68:6,18
		58:21 59:11	respond (10) 15:6 17:2 34:7	68:24
		59:14	35:18 36:4,9	ring (1) 45:15
	receive (5) 13:25 29:15,20	43:11,11,12		Rochelle (1) 2:5
		43:13,16		room (5) 2:18 10:19
		45:20 46:13		59:10 66:11
	received (1) 26:2	47:5,20 48:25		66:16
				routine (1) 67:9

December 17, 2020

Page 82

rudely (1) 40:18	44:2 49:13,16 52:22,25 53:2	23:7 spear (1) 15:14	states (2) 1:2 41:22	supplying (1) 29:3	
rules (2) 1:19 56:17	set (2) 73:11,20	specific (15) 22:6,7,21,25 22:25 23:6,17	stay (1) 26:18	sure (5) 8:25 21:15	
RULINGS (1) 72:16	Sheldrake (1) 2:5	23:18,21 31:16 33:18 35:6,11 37:2 40:15	steering (1) 26:11	39:9 53:5 65:2	
Rumor (1) 65:23	show (1) 24:11	37:24	stole (2) 16:6,9	suspended (2) 48:5,8	
S					
S (2) 2:2 71:2	sign (1) 15:15	specifically (7) 12:9,14,18	stood (1) 15:13	suspicious (3) 67:7,12,14	
SADIQ (2) 1:9 2:11	sitting (2) 15:13 41:24	14:7 32:10 36:11 42:3	stop (4) 34:22,25 49:21 56:5	sworn (4) 3:6 70:5,18 73:11	
saw (6) 11:20 63:4 65:25 68:2,9 68:17	situation (1) 42:19	specifics (1) 37:24	stopped (1) 34:23	T	
saying (2) 4:2 10:25	slash (1) 48:16	specified (1) 70:11	story (2) 53:10 62:3	T (4) 70:2 71:2 73:2 73:2	
says (4) 26:19 39:5 42:20 64:8	slur (1) 32:6	speech (1) 65:9	Street (1) 2:13	TAHIR (2) 1:9 2:11	
schemes (2) 24:17,22	Smart (33) 1:10 2:12 5:10 5:17,22 6:3	spoke (2) 15:10 36:12	submitted (4) 13:7 14:8 37:16 49:7	take (5) 15:2,25 16:13 42:22 60:6	
SCHROEDE... 1:10 2:12,17	8:22 9:23	SS (1) 73:4	Subscribed (1) 70:18	taken (1) 1:17	
Scott (1) 25:17	11:10 12:4,11 12:13,22 14:2 14:17 15:13	stab (1) 48:15	supervision (2) 21:5,10	talk (2) 8:21 9:25	
SE (1) 2:4	16:5,6,22 17:7,16,25	staff (4) 13:20 20:15 22:17 34:15	supervisor (20) 4:6 8:11 14:3 16:19 23:11	talking (3) 9:23 22:5 45:6	
second (2) 46:16 58:8	18:22 19:7,24 57:9,25 58:4	state (10) 1:21 2:8,18 3:7	24:24 26:25 40:4 45:16	tape (1) 18:14	
security (1) 19:16	58:10,13,24 60:12 65:4	somebody (3) 60:11 61:25	46:8,13,17 47:7 49:2,19	Teague (2) 44:12,16	
see (11) 37:13 45:14 46:15 52:18 58:5 59:25 66:10,15,17 67:22 68:20	63:22	11:5 20:17,19 21:25 32:16	50:22 55:9 60:9 61:4 66:8	telephone (1) 4:13	
seen (2) 30:17 46:6	somebody's (1) 6:22	38:10,12,12 39:7,12 46:22	supervisor's ... 4:20	tell (37) 7:9,12 13:14 21:10 22:10	
send (1) 53:15	sooner (1) 34:19	46:23 47:19	supervisors (3) 4:5 13:21 61:5	22:11,12,15 22:17,20,23	
sent (6)	South (1) 26:19	48:24 49:8 52:13,16	supervisory (1) 12:20	22:24,25 30:21,23 31:4	
	speak (3) 20:22 23:10	53:24 54:8 59:23 60:6	supplied (1) 28:25	31:15,18,20 31:24 32:4,5	
	32:23	statements (3) 25:6 38:17	supply (1) 53:9	32:10,20,22 33:5,7 34:25	
	speaking (1)	54:3			

December 17, 2020

Page 83

35:4,5,10	15:19 16:10	three (4)	top (5)	12:4,22 13:11
47:24 58:2,11	17:11,18 18:4	36:24 46:20	46:15 52:23	17:9 18:9
59:10 60:2	18:10,23 19:8	48:3 64:25	54:16 57:23	20:14,15 21:4
65:4	19:19 20:5	Three-page (2)	58:7	24:3,22 25:19
telling (5)	21:6,17 22:2	71:8,14	Traffic (2)	25:23 26:19
30:19 58:23	22:13 23:4,19	threw (1)	25:10 26:20	26:21 27:13
59:12 62:15	24:6 25:20	41:22	transcript (2)	33:11 34:12
62:16	26:5 27:5	ticket (8)	70:9,9	43:15 50:24
tells (1)	28:12 29:6,16	24:17,21 25:22	Traschen (20)	64:7,15 65:10
10:4	29:21 30:25	65:15,17,18	1:8 2:10 4:7,14	66:23 67:5
Terry (1)	31:7,22 32:3	65:19 67:8	4:24,25 7:22	TVBs (5)
28:22	32:8,18 33:13	tickets (2)	7:24 10:4	8:4 24:5 33:11
testified (1)	34:3,9 35:22	25:2,13	11:9 20:9	52:8 59:17
3:8	36:6,18 38:19	time (23)	54:25 55:12	twice (1)
testify (1)	38:25 39:18	1:14 8:9 9:11	58:3,12,18,23	42:16
70:5	39:23 40:6,21	12:19 13:7	59:21 61:24	type (1)
testifying (1)	41:8,17 42:9	14:25 21:15	62:17	18:14
48:18	42:24 43:8,18	23:7,23 31:21	Traschen's (1)	U
testimony (6)	44:13 45:10	31:24 32:2,11	4:21	um (1)
5:24 7:14 8:2	47:13 48:17	36:25 47:3	treatment (1)	18:12
70:6,10 73:13	49:9 50:11	50:3 51:17,22	29:10	understand (2)
texted (1)	51:2,13,20,25	52:17 54:14	trial (2)	19:3 26:21
26:13	52:11,14	63:6,11 70:10	46:20,25	unit (1)
thank (1)	53:20,23 54:5	times (4)	true (10)	63:17
68:25	54:20 55:19	22:8 23:11	33:25 47:18	UNITED (1)
theft (3)	56:3,11 57:5	41:18 63:3	49:12 53:15	1:2
16:15,19,23	57:20 58:14	tires (1)	53:18 54:3	V
thing (2)	59:18 60:14	48:16	55:18 62:22	V (1)
12:12 51:7	61:2,11,15	today (1)	70:9 73:12	3:5
things (6)	62:5,19,24	37:4	truth (14)	validity (2)
13:2,16 26:22	63:7,23 64:3	told (35)	3:20,21 6:24	46:22 47:5
27:9 45:4	64:11,16,21	4:4,5,7 5:19	7:4 45:8 47:5	Vehicles (3)
55:23	65:11,21	7:5,23 8:11	49:8 50:7,19	37:19 44:11
think (4)	67:10,24 68:4	8:13 11:20	51:9,11 52:9	62:13
29:13 41:18	68:7,11	14:13 19:13	64:8 70:5	verbal (1)
67:7 68:21	threat (2)	23:11 27:19	truthful (2)	31:18
third-party (1)	15:6 31:18	38:15 42:13	21:24 63:13	verbally (3)
8:3	threatened (5)	42:15 47:7	truthfulness ...	23:22 31:24
THOMPSON...	31:11 34:15	54:25 55:9,13	21:19 46:23	41:2
2:14 4:10 5:11	40:18,25	58:4,22 59:4	49:25 63:21	verified (3)
6:4,25 7:18	48:14	59:8,12 60:9	15:5	62:21 63:4
8:6,15,20 9:7	threatening (5)	60:11 61:5,25	turned (1)	71:11
10:7,13 11:17	30:20,22 31:5	62:8,22 63:5	25:4	verify (6)
12:16,23	31:10,13	63:13,22 65:6	TVB (26)	62:2,10 63:13
13:12,19,23	threats (1)	56:13	3:24 10:12	63:14,21 64:2
14:4,22 15:7	17:15			

December 17, 2020

Page 84

version (2) 53:9 59:22	53:18 54:2,4	worked (2) 13:2 44:10	10:12 24:3,5 24:22 44:4,7	17th (1) 2:13
versus (1) 37:18	13:15 17:8 18:3 34:13,16	working (2) 55:17 66:22	59:16 73:4,8	18 (1) 1:6
VIDEOCON... 1:20	34:20,22 39:4 39:16 43:10	workplace (6) 46:5 53:12 54:9 57:22	Z	18CV2710 (1) 2:20
videotape (13) 5:9 6:14,17 15:23 18:9,17 19:5,23 20:3 20:9 61:9,13 62:3	43:12 55:25 56:5 63:18 wants (1) 38:11	71:12,14 wouldn't (3) 28:17 29:5 34:24	Zift (1) 27:15	2
videotaped (2) 6:19 19:10	4:19 27:15 32:14 39:21 40:3 41:16	write (5) 21:11 38:7 50:9 53:18,25	Zoom (2) 1:19 36:23	2 (1) 26:8
view (2) 5:8 19:22	66:8	writing (4) 12:13 46:18 57:18 59:8	0	2:37 (1) 69:3
viewing (1) 20:3	way (8) 15:6 18:2 19:11 34:19	written (7) 11:22 20:13 37:16 49:14 49:18 51:11 57:8	1	20 (3) 11:15 70:19 71:10
Violation (2) 25:10 26:20	40:19 56:6 64:6 73:17	wrong (1) 67:17	1:24 (1) 1:14	2011 (4) 16:5 38:2 39:11 41:21
violations (2) 46:21 48:3	we're (1) 22:5	wrote (2) 11:2,14	10 (1) 63:11	2012 (5) 14:16 16:4,6 31:4 71:10
violence (13) 17:15 31:19 45:20 46:5 50:17 52:25 53:3,11,12 54:9 57:23 71:13,15	45:3 48:7 59:4	X	10005 (1) 2:13	2014 (1) 15:12
voice (1) 56:14	weren't (2) 27:20 28:10	X (4) 1:3,12 71:2 72:2	10804 (1) 2:5	2015 (16) 3:23 4:8,12
veracity (3) 21:19 35:16 45:8	whatsoever (1) 36:14	Y	11 (17) 3:23 4:8,12 11:11 16:5 18:22 30:6,8 30:11 41:21 52:19 54:19 54:23 57:3,9 65:5 71:9	10:22 11:11 11:15 18:22 46:9,21 47:10 52:19 54:19 54:23 57:4,10 65:5
W			11-page (1) 71:11	2020 (2) 1:13 73:20
waiting (1) 63:12	woefully (1) 25:15	Yakov (7) 37:21 38:9	11209 (1) 3:16	21 (2) 2:5 47:9
Walrus (1) 48:5	words (2) 7:11,13	39:11 41:21 42:8,11,15	11th (3) 18:17 55:8	22 (2) 39:11 46:21
want (17) 3:20,20 22:11 38:7,13 39:20 40:2,8 49:5 49:23 50:5,7 50:10 53:15	27:24,25 45:20 47:20 50:16 52:18,25 53:3 53:11 54:2 workday (1) 26:15	yeah (2) 22:15 68:22	56:23	24 (1) 12 (1) 16:6
		years (1) 24:17	13 (4) 37:11,14,20 39:5	71:8
		yelling (2) 22:19 35:8	150 (1) 16:7	2710 (1) 1:6
		York (19) 1:2,21 2:5,8,13 2:13,19 3:7 3:16 8:4	17 (1) 1:13	28 (1) 2:13
				3
				3 (1)

December 17, 2020

Page 85

72:5	10:19			
30 (1)	<hr/> 9			
71:10				
31st (1)	9952 (1)			
73:20	3:15			
35 (1)				
30:3				
37 (1)				
71:11				
<hr/> 4				
4 (4)				
24:10,11,13				
71:8				
45 (1)				
71:13				
<hr/> 5				
5 (1)				
46:9				
522A (1)				
2:18				
<hr/> 6				
6 (3)				
2:18 30:5,5				
67 (4)				
57:13,15 71:14				
71:15				
<hr/> 7				
7 (3)				
37:6,8 71:11				
78 (1)				
37:17				
<hr/> 8				
8 (1)				
10:22				
80 (2)				
16:7,9				
85 (3)				
45:24 46:2				
71:12				
86 (1)				
3:2				
8th (1)				